

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:10-CR-332-H

UNITED STATES OF AMERICA :
 :
 v. :
 :
 JOSEPH J. MARAK :

ORDER OF FORFEITURE

In the Criminal Indictment in the above action, the United States sought forfeiture of \$698,00.00 from the defendant pursuant to 18 U.S.C. § 981(a)(1)(C), an amount representing the proceeds of the unlawful activity of the defendant as charged in the Criminal Indictment. The defendant having now been found guilty as charged by the jury, and as the Government is seeking a money judgment as the money is not in the custody of the Government, the Court must now determine the amount of money that the defendant will be required to pay, as required by Fed.R.Crim.P. 32.2(b)(1)(A).

The Government having produced evidence that the amount of gain attributed to the defendant from his unlawful activity is in fact \$365,300.00, the United States is now entitled to a money judgment against the defendant in the amount of \$365,300.00 currency.

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. Based upon the verdict of the jury and the Court's consideration of the evidence of record, the above-listed \$365,300.00 U. S. currency is forfeited to the United States for disposition in accordance with the law; and


2. Any and all forfeited funds shall be deposited by the U. S. Department of Justice or the U. S. Department of the Treasury, as soon as located or recovered, into the U. S. Department of Justice's Assets Forfeiture Fund or the U. S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

The Clerk is DIRECTED to enter Judgment against the defendant for the amount forfeitable by that defendant, specifically, \$365,300.00.

In addition, upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(3), this Order is now final as to the defendant.

SO ORDERED.

This 11th day of August 2011.


MALCOLM J. HOWARD
Senior United States District Judge